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Hon. Barbara C. Moses  
United States Magistrate Judge  
U.S. District Court for the Southern District of New York  
500 Pearl Street, Room 920  
New York, NY 1007-1312

May 27, 2021

## MEMO ENDORSED

Re: Gherson v. Commissioner of Social Security  
Civil Action No: 1:20-cv-05651-BCM

USDC SDNY
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Dear Judge Moses:

This letter respectfully requests an extension of time of seven (7) days for Plaintiff to file her Motion for Judgment on the Pleadings in this matter. Plaintiff's Motion for Judgment on the Pleadings is currently due on May 28, 2021 (Dkt. 8). The parties in this matter did not file a letter with the Court advising we would proceed to briefing (Dkt. 8). Due to this error, staff in Counsel's office incorrectly calendared the due date of Plaintiff's Motion for Judgment on the Pleadings. Additionally, due to the backlog of transcripts created by COVID-19 and the Commissioner's response, the Commissioner is able to produce records at a rapid pace. As a result, this has caused multiple, simultaneous filing deadlines that cannot be met. Plaintiff cannot meet the current briefing deadline. This extension is needed to thoroughly and properly prepare her Motion.

Plaintiff's counsel has contacted defense counsel who consents to this request. This would be a first request to extend the time to file Plaintiff's Motion for Judgment on the Pleadings.

If this request is granted, Plaintiff's Motion for Judgment on the Pleadings will be due on June 4, 2021. Subsequently, in accordance with the pattern of the Scheduling Order, the Commissioner's Response would then be due August 3, 2021. Plaintiff's Reply would then be due August 24, 2021.

Thank you for your consideration.

Respectfully submitted,

/s/ Howard D. Olinsky  
Howard D. Olinsky, Esq.  
Bar Code H06529  
Counsel for Plaintiff

CC [via ECF]: Graham Morrison (Counsel for Defendant)

**SO ORDERED.**

Dated: May 28, 2021  
New York, NY

Application GRANTED. SO ORDERED.

Barbara Moses  
United States Magistrate Judge  
May 28, 2021